

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OKLAHOMA

Case No.: 04-CV-848-TCK-TLW

MARY BISHOP and SHARON BALDWIN, et al.,

Plaintiffs,

v.

THE UNITED STATES OF AMERICA, ex rel. **ERIC H. HOLDER, JR.**, in his
official capacity as Attorney General of the United States of America,

Defendant,

and

SALLY HOWE SMITH, in her official capacity as Court Clerk for Tulsa County,
State of Oklahoma,

Defendant,

and

**BIPARTISAN LEGAL ADVISORY GROUP
OF THE U.S. HOUSE OF REPRESENTATIVES,**

Intervenor-Defendant.

DEFENDANT SALLY HOWE SMITH'S NOTICE OF APPEAL

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Notice is hereby given that Sally Howe Smith, defendant in the above-captioned case, in her official capacity as Court Clerk for Tulsa County, State of Oklahoma, appeals to the United States Court of Appeals for the Tenth Circuit from (1) the Judgment entered on January 14, 2014 (ECF No. 273), and (2) the Opinion and Order entered on January 14, 2014, granting Plaintiffs' Motion for Summary Judgment as to Part A of the Oklahoma Marriage Amendment and denying Sally Howe Smith's Cross Motion for Summary Judgment as to Part A of the Oklahoma Marriage Amendment (ECF No. 272).

Dated: January 16, 2014

Respectfully Submitted,

s/ Byron J. Babione

Byron J. Babione
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Attorneys for Sally Howe Smith

CERTIFICATE OF SERVICE

I hereby certify that on January 16, 2014, I electronically transmitted Defendant Sally Howe Smith's Notice of Appeal to the Clerk of the Court using the ECF system for filing. I further certify that all parties in this case are registered CM/ECF users and will be served by the CM/ECF system.

s/ *Byron J. Babione*

Byron J. Babione